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Counsel to the Debtors and  
Debtors in Possession

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

- - - - - x  
In re: : Chapter 11  
:   
CIRCUIT CITY STORES, INC., : Case No. 08-35653 (KRH)  
et al., :   
:   
Debtors. : Jointly Administered  
- - - - - x

**ORDER SUSTAINING DEBTORS' SIXTY-FIRST OMNIBUS OBJECTION  
(RECLASSIFICATION OF CERTAIN ALLEGED 503(B)(9) CLAIMS TO  
GENERAL UNSECURED, NON-PRIORITY CLAIMS)**

THIS MATTER having come before the Court on the  
  
Debtors' Sixty-First Omnibus Objection (Reclassification of  
Certain Alleged 503(b)(9) Claims to General Unsecured, Non-  
priority Claims) (the "Objection"), which requested, among  
other things, that the claims specifically identified on

Exhibit C attached to the Objection be reclassified as general unsecured, non-priority claims for those reasons set forth in the Objection; and it appearing that due and proper notice and service of the Objection as set forth therein was good and sufficient and that no other further notice or service of the Objection need be given; and it further appearing that no response was timely filed or properly served by the Claimants being affected by this Order; and it appearing that the relief requested in the Objection is in the best interest of the Debtors, their estates and creditors and other parties-in-interest; and after due deliberation thereon good and sufficient cause exists for the granting of the relief as set forth herein,

IT IS HEREBY ORDERED ADJUDGED AND DECREED THAT:

1. The Objection is SUSTAINED.
2. The Claims identified on Exhibit A (as attached hereto and incorporated herein) are reclassified as general unsecured, non-priority claims.
3. The Debtors' rights to amend, modify, or supplement the Sixty-First Omnibus Objection, to file additional objections to any claim, including the Lease Claims, (filed or not) that have been or may be asserted

against the Debtors, and to seek reduction of any claim to the extent such claim has been paid, are preserved.

4. The Debtors shall serve a copy of this Order on the claimants included on the exhibit to this Order on or before five (5) business days from the entry of this Order.

5. This Court shall retain jurisdiction to hear and determine all matters arising from or relating to this Order.

Dated: Richmond, Virginia  
December\_\_\_\_\_, 2009  
Dec 29 2009

/s/ Kevin R. Huennekens

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HONORABLE KEVIN R. HUENNEKENS  
UNITED STATES BANKRUPTCY JUDGE

Entered on docket: Dec 30 3009

WE ASK FOR THIS:

Gregg M. Galardi, Esq.  
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- and -

/s/ Douglas M. Foley  
Dion W. Hayes (VSB No. 34304)  
Douglas M. Foley (VSB No. 34364)  
MCGUIREWOODS LLP  
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Counsel to the Debtors  
and Debtors in Possession

**CERTIFICATION OF ENDORSEMENT UNDER LOCAL RULE 9022-1(C)**

Pursuant to Local Bankruptcy Rule 9022-1(C), I hereby  
certify that the foregoing proposed order has been endorsed  
by or served upon all necessary parties.

/s/ Douglas M. Foley

In re Circuit City Stores, Inc, et al.

Case No. 08-35653 (KRH)

Debtors' Sixty-First Omnibus Objection to Claims (Reclassification Of Certain  
Alleged 503(B)(9) Claims To General Unsecured, Non-Priority Claims) - Ordered**EXHIBIT A**

CLAIM TO BE MODIFIED	CLAIM AS DOCKETED*	CLAIM AS MODIFIED
Claim: 13374 Date Filed: 06/15/2009 Docketed Total: \$181,199.83 Filing Creditor Name and Address: PENSKE PO BOX 827380 PHILADELPHIA, PA 19182	Claim Holder Name and Address Case Number: 08-35653 Docketed Total: <b>\$181,199.83</b> PENSKE PO BOX 827380 PHILADELPHIA, PA 19182 <u>503(b)(9)</u> <u>Reclamation</u> <u>Admin</u> <u>Secured</u> <u>Priority</u> <u>Unsecured</u> \$181,199.83	Case Number: 08-35653 Modified Total: <b>\$181,199.83</b> <u>503(b)(9)</u> <u>Reclamation</u> <u>Admin</u> <u>Secured</u> <u>Priority</u> <u>Unsecured</u> \$181,199.83
Claim: 657 Date Filed: 12/08/2008 Docketed Total: \$390.74 Filing Creditor Name and Address: SNO WHITE DUST CONTROL SERVICE PO BOX 1630 HOLLYWOOD, FL 33022	Claim Holder Name and Address Case Number: 08-35653 Docketed Total: <b>\$390.74</b> SNO WHITE DUST CONTROL SERVICE PO BOX 1630 HOLLYWOOD, FL 33022 <u>503(b)(9)</u> <u>Reclamation</u> <u>Admin</u> <u>Secured</u> <u>Priority</u> <u>Unsecured</u> \$390.74	Case Number: 08-35653 Modified Total: <b>\$390.74</b> <u>503(b)(9)</u> <u>Reclamation</u> <u>Admin</u> <u>Secured</u> <u>Priority</u> <u>Unsecured</u> \$390.74
		<b>Total Claims To Be Modified: 2</b> <b>Total Amount As Docketed: \$181,590.57</b> <b>Total Amount As Modified: \$181,590.57</b>

\* "UNL" denotes an unliquidated claim.

# CERTIFICATE OF NOTICE

District/off: 0422-7  
Case: 08-35653

User: frenchs  
Form ID: pdforder

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Dec 30, 2009

The following entities were noticed by first class mail on Jan 01, 2010.  
aty +Gregg M. Galardi, Skadden Arps Slate Meagher, & Flom LLP, One Rodney Sq., PO Box 636,  
Wilmington, DE 19899-0636

The following entities were noticed by electronic transmission.  
NONE.

TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jan 01, 2010

Signature:

